

DPT Operator Pty Limited  
Level 51, 19 Martin Place  
Sydney NSW 2000  
c/- Michael Oliver  
Associate Director  
Ethos Urban

moliver@ethosurban.com

19 October 2021

Dear Mr Oliver

**Biodiversity Development Assessment Report Waiver Request  
Cockle Bay Wharf mixed use development (SSD 9978934)**

I refer to your correspondence received on 20 September 2021 seeking to waive the requirement to submit a biodiversity development assessment report (BDAR) with the above State significant development application under section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act).

I have reviewed your request having regard to Sections 1.5 and 7.3 of the BC Act and Clause 1.4 of the Biodiversity Conservation Regulation 2017, and have determined that the proposed development (SSD 9978934), as described in your waiver request, is not likely to have any significant impacts on biodiversity values.

The delegated Environment Agency Head in the Environment, Energy and Science Group has also determined that the proposed development is not likely to have any significant impacts on biodiversity values in a letter dated 21 September 2021 and a copy of that letter is attached.

Therefore, a waiver under section 7.9(2) of the BC Act is granted for the proposed development and a BDAR is not required to accompany the SSD application.

If there are any amendments to the proposed development, this BDAR waiver determination will not be valid. You will need to either prepare a BDAR or lodge a new request to have the BDAR requirement waived.

Should you have any further enquiries, please contact Candice Pon, Key Sites Assessments, at the Department on (02) 9995 6644.

Yours sincerely,



Anthony Witherdin  
**Director**  
**Key Sites Assessments**  
As delegate of the Secretary

*Enclosed:*

*Determination, delegated position within Environment, Energy and Science Group, DPIE*